

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHRISTOPHER W. HIMES,

Petitioner,

v.

9:03-CV-1419

SUPERINTENDENT, GOWANDA
CORRECTIONAL FACILITY,

Respondent.

THOMAS J. McAVOY
United States District Judge

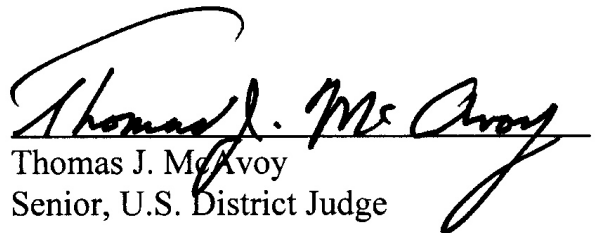
DECISION and ORDER

This matter brought pursuant to 28 U.S.C. § 2254 was referred to the Hon. Randolph F. Treece, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

No objections to the May 8, 2006 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein and DISMISSES the petition. The Court further notes that this action is subject to dismissal pursuant to N.D.N.Y.L.R. 41.2(b) and N.D.N.Y.L.R. 10.1(b) because Plaintiff failed to keep the Court apprised of his current address.

IT IS SO ORDERED.

Dated: June 22, 2006



Thomas J. McAvoy
Senior, U.S. District Judge